

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARCOS SANTIAGO,	:	Criminal No. _____
TARIK ROBERTS,	:	
a/k/a "Queens,"	:	Date Filed: _____
ALFREDO SANTIAGO,	:	
a/k/a "Primo,"	:	Violations:
CARLOS CALERO,	:	
a/k/a "Chachi,"	:	18 U.S.C. § 1951 (conspiracy to interfere
a/k/a "Chache"	:	with commerce by robbery - 2 counts)
	:	18 U.S.C. § 1951 (interference with
	:	commerce by robbery - 2 counts)
	:	18 U.S.C. § 924(c)(1)(A) (possession of a
	:	firearm in furtherance of a crime of
	:	violence - 2 counts)
	:	18 U.S.C. § 2119 (carjacking - 1 count)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	18 U.S.C. § 922(g)(1) (felon in possession
	:	of a firearm - 3 counts)

SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

AT ALL TIMES MATERIAL TO THIS INDICTMENT:

1. The Days Inn hotel, located at 2299 Lancaster Pike, Shillington, Pennsylvania, in Berks County Pennsylvania, was a business engaged in and affecting interstate commerce, providing lodging, food and drink to Pennsylvania and out-of-state residents.

2. On or about May 5, 2002, in Shillington, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**MARCOS SANTIAGO,
TARIK ROBERTS, a/k/a "Queens,"
ALFREDO SANTIAGO, a/k/a "Primo," and
CARLOS CALERO, a/k/a "Chachi" and "Chache,"**

together, and with others known and unknown to the grand jury, conspired and agreed to unlawfully obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by robbery, that is, to unlawfully take property, specifically, cash and other items of value, from the person and presence of an employee of the Days Inn, against her will, by means of actual and threatened force, and violence, and fear of injury, immediate and future, to her person and property, and property in her custody and possession belonging to the Days Inn, all in violation of Title 18, United States Code, Section 1951.

MANNER AND MEANS

It was part of the conspiracy that:

3. Defendants MARCOS SANTIAGO, TARIK ROBERTS, ALFREDO SANTIAGO and CARLOS CALERO planned and executed the robbery of the Days Inn.

4. The defendants brought and used a Desert Eagle .44 magnum semi-automatic pistol to threaten and intimidate an employee of the Days Inn.

5. The defendants shared among themselves the approximately \$3000 in cash they had robbed from the Days Inn at gunpoint.

OVERT ACTS

In furtherance of the conspiracy, the defendants committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

On or about May 5, 2002:

1. Defendant MARCOS SANTIAGO drove defendants TARIK ROBERTS, ALFREDO SANTIAGO and CARLOS CALERO in a car to the Days Inn.

2. Defendant ALFREDO SANTIAGO entered the Days Inn to ask to use the

bathroom. While inside the Days Inn, defendant ALFREDO SANTIAGO examined the hotel for the purpose of committing a robbery.

3. Defendant ALFREDO SANTIAGO exited the hotel, but soon reentered with defendant TARIK ROBERTS. Both attempted to disguise their appearance.

4. While in the Days Inn, defendants TARIK ROBERTS and ALFREDO SANTIAGO pointed at a hotel employee a Desert Eagle .44 magnum semi-automatic pistol and what appeared to be a black firearm.

5. Defendants TARIK ROBERTS and ALFREDO SANTIAGO stole cash from drawers at the check-in counter. In addition, defendants ALFREDO SANTIAGO and TARIK ROBERTS also stole a large safe, which they together carried to the car that defendant MARCOS SANTIAGO had driven to the Days Inn.

6. Defendant MARCOS SANTIAGO drove the other defendants, with the stolen cash and safe, away from the Days Inn.

7. Defendant CARLOS CALERO permitted defendants MARCOS SANTIAGO, TARIK ROBERTS and ALFREDO SANTIAGO to bring the safe to the residence at which he (CARLOS CALERO) had been staying. There, the defendants opened the safe.

8. Defendants MARCOS SANTIAGO, TARIK ROBERTS, ALFREDO SANTIAGO and CARLOS CALERO divided the approximately \$3000 in cash they had robbed from the Days Inn at gunpoint.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1 of Count One is incorporated here.
2. On or about May 5, 2002, in Shillington, Pennsylvania, in the Eastern

District of Pennsylvania, defendants

**MARCOS SANTIAGO,
TARIK ROBERTS, a/k/a “Queens,”
ALFREDO SANTIAGO, a/k/a “Primo,” and
CARLOS CALERO, a/k/a “Chachi” and “Chache”**

unlawfully obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of property, specifically, approximately \$3000 in cash and other items of value, from the person and presence of an employee of the Days Inn, against her will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to her person and property, and property in her custody and possession belonging to the hotel, that is, by pointing a Desert Eagle .44 magnum semi-automatic pistol, demanding cash and a safe, and otherwise threatening an employee of the Days Inn.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 5, 2002, in Shillington, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**MARCOS SANTIAGO,
TARIK ROBERTS, a/k/a “Queens,”
ALFREDO SANTIAGO, a/k/a “Primo,” and
CARLOS CALERO, a/k/a “Chachi” and “Chache”**

knowingly possessed and aided and abetted the possession of a firearm, that is, a Desert Eagle .44 magnum semi-automatic pistol, in furtherance of a crime of violence for which they may be prosecuted in a court of the United States, that is, conspiracy to interfere with commerce by robbery, as charged in Count One of this Indictment and interference with commerce by robbery, as charged in Count Two of this Indictment.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

AT ALL TIMES MATERIAL TO THIS INDICTMENT:

1. The Host Resort hotel, located at 2300 Lincoln Highway East, East Lampeter, Pennsylvania, in Lancaster County, Pennsylvania, was a business engaged in and affecting interstate commerce, providing lodging, food and drink to Pennsylvania and out-of-state residents.

2. On or about May 19, 2002, in East Lampeter, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**MARCOS SANTIAGO, and
TARIK ROBERTS, a/k/a “Queens,”**

together, and with others known and unknown to the grand jury, conspired and agreed to unlawfully obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by robbery, that is, to unlawfully take property, specifically, cash and other items of value, from the person and presence of an employee of the Host Resort, against his will, by means of actual and threatened force, and violence, and fear of injury, immediate and future, to his person and property, and property in his custody and possession belonging to the Host Resort, all in violation of Title 18, United States Code, Section 1951.

MANNER AND MEANS

It was part of the conspiracy that:

3. Defendants MARCOS SANTIAGO and TARIK ROBERTS planned and executed the robbery of the Host Resort.

4. The defendants brought and used a Desert Eagle .44 magnum semi-automatic pistol to threaten and intimidate an employee of the Host Resort.

OVERT ACTS

In furtherance of the conspiracy, the defendants committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

On or about May 19, 2002:

1. Defendant TARIK ROBERTS drove defendant MARCOS SANTIAGO in a car to the Host Resort.
2. Defendant TARIK ROBERTS gave a loaded Desert Eagle .44 magnum semi-automatic pistol to defendant MARCOS SANTIAGO.
3. Defendant TARIK ROBERTS wore a shoulder holster that was compatible with the Desert Eagle .44 magnum semi-automatic pistol.
4. Defendant MARCOS SANTIAGO entered the Host Resort with the Desert Eagle .44 magnum semi-automatic pistol.
5. While in the Host Resort, defendant MARCOS SANTIAGO pointed the Desert Eagle .44 magnum semi-automatic pistol at a hotel employee and then pushed the Desert Eagle .44 magnum semi-automatic pistol against the hotel employee's back.
6. While in the Host Resort, and with the Desert Eagle .44 magnum semi-automatic pistol pushed against the hotel employee's back, defendant MARCOS SANTIAGO demanded money.
7. Defendant MARCOS SANTIAGO stole approximately \$180 in cash from the Host Resort.

8. Upon exiting the Host Resort, and upon seeing a police officer, defendant MARCOS SANTIAGO ran with the Desert Eagle .44 magnum semi-automatic pistol and the stolen cash.

9. Shortly after the arrival of the police officer, defendant TARIK ROBERTS fled from the car, still wearing the holster that was compatible with the Desert Eagle .44 magnum semi-automatic pistol.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1 of Count Four is incorporated here.
2. On or about May 19, 2002, in East Lampeter, Pennsylvania, in the Eastern

District of Pennsylvania, defendants

**MARCOS SANTIAGO, and
TARIK ROBERTS, a/k/a “Queens,”**

unlawfully obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of property, specifically, approximately \$180 in cash and other items of value, from the person and presence of an employee of the Host Resort, against his will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to his person and property, and property in his custody and possession belonging to the hotel, that is, by pointing a Desert Eagle .44 magnum semi-automatic pistol, demanding cash, and otherwise threatening an employee of the Host Resort.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 19, 2002, in East Lampeter, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**MARCOS SANTIAGO, and
TARIK ROBERTS, a/k/a “Queens,”**

knowingly possessed and aided and abetted the possession of a firearm, that is, a Desert Eagle .44 magnum semi-automatic pistol, in furtherance of a crime of violence for which they may be prosecuted in a court of the United States, that is, conspiracy to interfere with commerce by robbery, as charged in Count Four of this Indictment and interference with commerce by robbery, as charged in Count Five of this Indictment.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 19, 2002, in East Lampeter, Pennsylvania, in the Eastern District of Pennsylvania, defendant

MARCOS SANTIAGO,

with intent to cause death and serious bodily harm, did take from the person and presence of another, by force and violence and intimidation, a motor vehicle, that is, a 1987 Gray Cadillac, that had been transported, shipped and received in interstate commerce.

In violation of Title 18, United States Code, Section 2119.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 5, 2002, at Shillington, Pennsylvania, in the Eastern District of Pennsylvania, defendant

TARIK ROBERTS, a/k/a “Queens,”

having been convicted in a court of the State of New York of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm, that is, a Desert Eagle .44 magnum semi-automatic pistol, bearing serial number 31204133.

In violation of Title 18, United States Code, Sections 922(g)(1).

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 19, 2002, at East Lampeter, Pennsylvania, in the Eastern District of Pennsylvania, defendant

MARCOS SANTIAGO,

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm, that is, a Desert Eagle .44 magnum semi-automatic pistol, bearing serial number 31204133.

In violation of Title 18, United States Code, Sections 922(g)(1).

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 19, 2002, at East Lampeter, Pennsylvania, in the Eastern District of Pennsylvania, defendant

TARIK ROBERTS, a/k/a “Queens,”

having been convicted in a court of the State of New York of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm, that is, a Desert Eagle .44 magnum semi-automatic pistol, bearing serial number 31204133.

In violation of Title 18, United States Code, Sections 922(g)(1).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney